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ABSTRACT

This study compared allowable admission practices in the Milwaukee Public Schools (MPS) and the Milwaukee Parental Choice Program (MPCP), the nation's oldest program of tax-supported K-12 school choice in private schools. The report identifies three misperceptions advanced by voucher opponents: private schools apply to MPCP students the same admission criteria used for other students; all public schools accept all students; and all public schools do not use selective criteria. The report concludes that Milwaukee's experience with this voucher program directly contradicts claims by voucher opponents regarding public and private school admission practices. It illustrates that targeted, tax-supported school voucher programs for low-income parents can provide essentially an open admission policy. The study did not evaluate allowable practices in other jurisdictions with tax-supported and privately-supported voucher programs, nor did it evaluate the merits of selective admission programs used by MPS or prohibition in state law on using selection criteria in reviewing MPCP applications. Four attachments contain: the MPCP application form, MPS Program for the Academically Talented information form, MPS Golda Meir Gifted and Talented information form, and request for student records form used by the Public Schools Open Enrollment Program. (SM)

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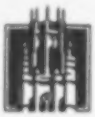

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Selective Admission Practices? Comparing the Milwaukee Public Schools and the Milwaukee Parental Choice Program

Howard L. Fuller, Ph.D., and George A. Mitchell

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Summary

Advocates of tax-supported private school vouchers say they will expand educational opportunity. Opponents say achieving that goal is at odds with selective private school admission practices. We compared allowable admission practices in the Milwaukee Public Schools (MPS) and the Milwaukee Parental Choice Program (MPCP).[1] We found that:

- MPS schools use a wide range of selective criteria to screen students.
- Private schools may not use any screening criteria for MPCP-eligible students.

Background

The MPCP is the nation's oldest program of tax-supported, K-12 school choice in private schools. Enacted in 1990, it allowed one per cent of MPS enrollment (then about 1,000 students) to attend non-sectarian private schools at state expense. Now, up to 15 per cent of MPS enrollment (about 15,800 students) may attend non-sectarian or sectarian private schools. This year, 8,104 students are using the MPCP at 91 different private schools.[2]

MPCP eligibility and allowable screening. Students eligible for the MPCP are Milwaukee residents from families with income at or below 175% of the federal poverty level. Private schools receive no information from eligible students in such areas as academic ability, special education needs, or prior disciplinary action (see Attachment I, the MPCP student application). On a space available basis, private schools in the MPCP must accept any eligible applicant.[3]

Claims of voucher opponents. The MPCP prohibition on selective admission criteria is at odds with claims made by voucher opponents in attacking it and similar programs. For example:

- The National Education Association (NEA), the nation's largest teachers union, says: "Parental choice is a misnomer. Private school admissions offices make the choice of which students to admit or reject. Private schools retain the right to reject or accept any student, regardless of whether the student holds a voucher. By definition, private schools are selective, using a variety of criteria to weed out applicants."[4]
- The American Federation of Teachers (AFT), the second largest teachers union, says: "Private schools normally screen applicants on a number of grounds, including, but not limited, to: prior academic achievement; standardized test scores; prior disciplinary record; written application; interviews with applicants and their parents; and parents' willingness to volunteer at the school (often required)...."[5]
- The People for the American Way (PFAW) and National Association for the Advancement of Colored People (NAACP) allege that MPCP schools use admission practices prohibited by Wisconsin law.[6]
- Wisconsin State Rep. Christine Sinicki says that "choice promoters talk about choice leveling the playing field, but choice schools are still picking and choosing what children they want." Expressing a widely held, frequently reported, and rarely challenged view, she said: "Public schools cannot turn away anyone who comes to their door."[7]
- Tammy Johnson, of Wisconsin Citizen Action, said during a 1999 "town hall" meeting on race relations: "[W]e are leaving children behind in this rush to so-called [education]

> reform...whether it is charter or voucher...[Parents] in public education [are] concerned about...disabled kids...kids with learning disabilities...kids who have behavioral problems, kids who have been involved in the juvenile criminal justice system. Those kids get left behind [by school vouchers] because...a lot of private schools...don't have to take them, so that leaves it behind for public education to deal with those children."[8]

This report

We compare allowable admission practices at MPS schools with those for MPCP-eligible students.[9] We express no opinion on the appropriateness of MPS or MPCP admission practices. Our objective is to describe them, given claims by voucher opponents.

We identify three misperceptions advanced by voucher opponents:

- Misperception One — private schools apply to MPCP students the same admission criteria they use for other students.
- Misperception Two — all public schools accept "all students."
- Misperception Three — all public schools do not use selective criteria.

In fact, MPS schools often use selection criteria typically associated with private schools. For example, as we describe, this year fully 37% of MPS high school students attend schools with a range of highly selective admission criteria. Meanwhile, private schools are barred from using such criteria in reviewing MPCP applications.

Thus, the situation is the mirror opposite of what voucher opponents claim. This reflects both state law and local policy decisions. For example, while the law entitles children to a tax-supported public education, the school they attend often is influenced by restrictions set by local officials. In Milwaukee, for example, the school board lets individual schools use selection criteria that resemble what the AFT claims are common in private schools, including, in the AFT's words from above: "...prior academic achievement; standardized test scores; prior disciplinary record; written application; interviews with applicants and their parents...."

In contrast, state law prohibits private schools from using <u>any</u> criteria for MPCP-eligible students. Private schools are required to use what amounts to an open admission policy for MPCP-eligible students.

MPS Admission Criteria

The MPS school directory informs parents that they might make an "inappropriate school choice," a phrase notably absent from MPCP statutes or rules.[10] An "inappropriate school choice" is defined as a "school selection that is not an appropriate option [such as when a] student [is] not eligible for [a] program."

Elementary and middle school selection criteria. Under the heading "Schools/Programs With Eligibility Requirements," MPS lists 21 schools with "eligibility requirements...[C]ontact your child's current school or the schools listed...for additional details about eligibility requirements."[11] Schools include those with programs for "the Academically Talented" and "Gifted and Talented" students. Attachments II and III are to be filled out for students seeking admission to a Program for the Academically Talented or a Gifted and Talented school. Table 1 summarizes information required on these forms.

Private schools may use none of the criteria in Table 1 to screen MPCP-eligible students.

Table 1. Information required of applicants to MPS Gifted and Talented schools and Program for the Academically Talented.

Category	Required Information
1. General	• M-Teamed? Yes or No.[12] • Race or Ethnicity. • Free/Reduced Lunch Eligibility.
2. Achievement	• Name(s) of test(s); date(s) given. • Areas tested (reading, math, other). • Percentile rank.
3. Reading	• Identify reading series being used. • Specify "readiness" level.
4. "Student Potential"	The student's "POTENTIAL" is ranked in these areas: • "General intellectual ability;" • "Specific academic ability;" • "Creative or productive thinking ability;" • "Leadership ability;" and • "Visual and performing arts ability."
5. "Student Performance"	From "rarely" to "almost always," the student: • Uses "an unusually advanced vocabulary;" • Has "a large storehouse of information;" • Has "unusual insight into values;" • Handles "responsibility well; can be 'counted on';" and • Is ranked on 16 other criteria (see Attachments II-III).
6. "Student Potential"	"...[W]rite one sentence that best describes this student's: • "academic potential;' • "social/emotional potential;" • "visual or performing arts potential;" and • "leadership potential."
7. "Student Performance"	"...[A]ttach...the student's most current report card!"
8. Other	Letters of recommendation; other comments.

Montessori and language immersion schools. MPS Montessori schools serve students from the age of three through eighth grade. According to MPS, no child over 4 years old may enter these schools if they do not have "[p]revious continuous Montessori experience..." MPS also has language immersion schools for students four years old through fifth grade. After grade one, children must pass a language proficiency test to be admitted.

Such requirements are not allowed for MPCP-eligible students at private schools.

MPS High Schools. Six MPS high schools use selective admission and screening criteria — criteria that private schools ***may not use*** in reviewing applications of MPCP students. Figure 1 shows that more than one in three MPS high school students are in schools using selective criteria.

Figure 1. MPS high school enrollment, 1999-2000.[13]

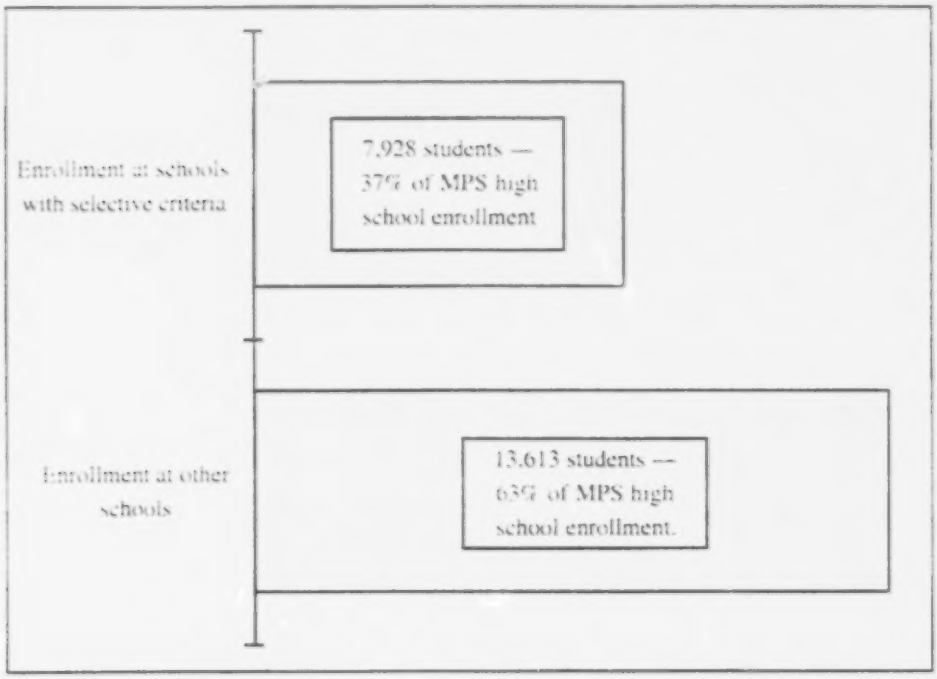
Enrollment at schools with selective criteria
7,928 students — 37% of MPS high school enrollment
Enrollment at other schools
13,613 students — 63% of MPS high school enrollment.

Table 2, following page, summarizes screening criteria used at selective MPS high schools, criteria that again resemble what the AFT claims are common in private schools: "...prior academic achievement; standardized test scores; prior disciplinary record; written application; interviews with applicants and their parents...."

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Table 2. 1999-2000 admission requirements at MPS High Schools.[14]

School	Admission Requirements
Custer High School	• Most recent report card. • Complete a "multiple paragraph essay" at "mandatory orientation" session. • Complete "parent and student questionnaires," with "completeness and neatness [being] essential as it is a portion of the assessment criteria."
Madison University High School	• Prior "School Performance, including attendance and achievement." • "Performance Assessment including a required essay and performance task." • "...Recommendations...from two current teachers or counselors." • "...Both students and parents must sign a contract agreement outlining graduation requirements and school discipline policy."
High School of the Arts	• "...[A]ttend an audition workshop to acquaint the families with MHSA's rigorous academics, artistic standards and audition requirements." • Audition in one or more areas (creative writing, dance, music, theatre, visual art).
Milwaukee Trade & Technical High School	• "Interest in vocational, trade, and technology education evidenced by enrollment in a middle school technical educational program and/or an equivalent experience." • "90% attendance" in middle school. • Attend "orientation session...to acquaint families with Tech's expectations, its rigorous curriculum, and its discipline policies." • Answer "four short essay questions...expressing [student's] goals, expectations, and a commitment to the" MTTHS program...." • At the orientation, demonstrate "writing proficiencies and knowledge of the school's program."
Riverside University High School	• Attend "orientation session...to acquaint families with Riverside's expectations, its rigorous curriculum, and its discipline policies." • At the orientation, "[s]tudents must write a 200-300 word, multiple paragraph essay, which outlines the student's academic goals and explains how attending Riverside will advance those goals." • "Students must have two signed recommendations from two current eighth grade teachers who are familiar with the student's work and study habits."
Rufus King High School for College Bound	• "Each student applying to Rufus King must submit a portfolio. All portfolio criteria listed below must be completed." • "School Performance which include attendance, effort, and achievement..." • "Performance Assessment to include a required essay and a required performance task." • "Evidence to show accomplishments in at least two areas such as special talents, co-curricular activities, community involvement, or leadership ability."

Other Public School Admission Criteria

MPS is not alone among Wisconsin public schools in using admission criteria that may not be used by private schools regarding MPCP-eligible students.

Interdistrict transfer students. Under a state law known as Chapter 220, MPS minority students may transfer to suburban districts and white suburban students may transfer to MPS. Public schools in the Chapter 220 program specify how many spaces are available for such transfers. However, unlike in the MPCP, the Chapter 220 contract between MPS and suburban public schools says they "may refuse to accept an applicant for transfer who":

- Had been expelled or "could have been expelled;"
- Had poor attendance;
- Requires bilingual education;
- At the pre-school or kindergarten level, has not been screened "to identify exceptional education needs;" or
- Has been referred for an exceptional education evaluation that is incomplete.

Such requirements are not allowed for MPCP-eligible students at private schools.

These currently allowable Chapter 220 screening practices are scaled back substantially from the program's earlier years.[15]

Public school open enrollment. In 1997, the Legislature amended state law to "allow a pupil to attend a public school in a school district other than the one in which the pupil resides...."[16]

The law allows public schools to reject a student's application using a variety of criteria that may not be applied to MPCP-eligible students at private schools.

For example, under "NONRESIDENT SCHOOL DISTRICT ACCEPTANCE CRITERIA," the law says that "[p]ermissible criteria...for accepting and rejecting applications...may include":

- "Whether the pupil has been expelled...by any school district during the current or 2 preceding school years for any of the following reasons or whether a disciplinary proceeding involving the pupil, which is based on any of the following reasons, is pending:
    - "Conveying or causing to be conveyed any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives.
    - "Engaging in conduct while at school or while under supervision of a school authority that endangered the health, safety or property of others.

- "Engaging in conduct while not at school or while not under the supervision of a school authority that endangered the health, safety or property of others at school or under the supervision of a school authority or of any employe of the school district or member of the school board.

- "Possessing a dangerous weapon, as defined in s. 939.22 (10), while at school or while under the supervision of a school authority.

- "Whether the special education program or related services described in the child's individualized education program...are available in the nonresident school district or whether there is space available in the special education program identified in the child's individualized education program, including any class size limits, pupil-teacher ratios or enrollment projections established by the nonresident school board.

- "Whether the child has been screened by his or her resident school board...to determine if there is reasonable cause to believe that the child is a child with exceptional educational needs."

The law also provides that a non-resident school district "...may require that the [non-resident] pupil reapply, no more than once, when the pupil enters middle school, junior high school or high school."

The public school open enrollment law has still other provisions and limitations not found in the MPCP statute. For example:

- "...[T]he resident school board shall provide to the nonresident school board...a copy of any expulsion findings and orders pertaining to the pupil, a copy of records of any pending disciplinary proceeding involving the pupil, a written explanation of the reasons for the expulsion or pending disciplinary proceeding and the length of the term of the expulsion or the possible outcomes of the pending disciplinary proceeding."

- "If the costs [to a transferring pupil's district] of the special education program or services...for a [transferring] child...would impose...an undue financial burden...the child's resident school board may notify the child's parent...that the pupil may not attend the nonresident school district...."

Attachment IV illustrates the records a transferring student must provide so that non-resident districts have information to use in applying the allowable special education and disciplinary screening criteria.

Special Education Students

We previously noted misperceptions advanced by voucher opponents to claim that public schools accept "all students" and private schools use highly selective admission practices. As we have shown, many MPS schools use academic screening criteria, whereas private schools may use none of those criteria in considering MPCP students.

The situation is similar regarding students with "special education needs."[17] Voucher opponents attack private schools in this area by first advancing the misperception that:

- Private schools, in general, admit few special education students.

- Public schools accept all such students.

Voucher opponents then make specific misrepresentations of the MPCP. For example, the AFT says, "...private schools [in the MPCP] do not have to admit any disabled students."[18] Others cite such claims as evidence that hard-to-educate students are shut out of the MPCP (see, for example, Tammy Johnson's comments, pp. 1-2).

We demonstrate at length below that, in Milwaukee, such claims are untrue. ***In fact, private schools may exclude no MPCP-eligible student based on special education needs.*** We know of no actual example, from voucher opponents or any other source, of an MPCP-eligible student being denied admission to a private school based on special education needs.

Special needs students — MPCP schools

We summarize below information from four different MPCP schools regarding programs for special needs students.

Prince of Peace School/Escuela Principe de Paz.[19] These examples involve ***prior MPS students*** with special education needs who now attend this K-8 school as part of the MPCP. Principal Donna Schmidt said, "they are examples of students (with special learning needs) who have applied to our school, been accepted and need services that were not previously supplied by our school community."

Example 1. Male, Grade Seven, disability not yet determined: "This [young] man has attended numerous schools (both private and public, including MPS). He has a history of poor attendance, and in fact, was not M-teamed [see note 12] because his attendance was so poor. Our school is located closer to home, and his mother hoped that this would increase his attendance. Attendance continues to be sporadic. Modifications have been made in his curriculum and schedule. Referrals have been made to support services and the M-Team process has been initiated."

Example 2. Male, Grade Eight, learning disabled: "According to his mother, this young man did not like going to school (he was enrolled in MPS). She therefore, decided to enroll him at our school. He has an IEP [Individual Education Plan] that we have been working to implement. Modifications have been made to his curriculum. He also participates in the Computer Assisted Instruction Laboratory [with Federal Title 1 funds] provided by MPS in our building. A bilingual tutor has also been hired [who] works directly with this student and other students who are having difficulty in school because of English being their second language."

Example 3. Male, Grade Five, behavior disorder: "In 2nd grade, this [child] was [placed in a foster] home. He is estimated to have been in 6-8 foster homes. As a student in MPS, he was placed in an alternative school. Following numerous suspensions, he came to our community. At this point, we are working to implement his IEP. Meetings are scheduled to determine how we can best meet his needs."

Schmidt added: "We also have numerous students who experience English as a second language. For many of them, their school experience is their first exposure to a totally English speaking environment. Three tutors have been hired to work with our younger students. [They] not only provide academic support, but further enhance our community by providing these students with the extra attention and care that reinforces their self-esteem."

Messmer High School. Brother Bob Smith, president of this school, provided examples of ***former students in MPS or other public schools*** now enrolled at Messmer:[20]

Example 1. A ninth grade male MPCP student who took the placement exam **(not entrance exam)** wrote on his essay: "heep me! I cant reed." Messmer accepted the student and placed him in the third grade reading level.

Example 2. An eleventh grade male enrolled at Messmer after being expelled by MPS for getting into a school fight with another student. The student graduated with a "B" average and now attends a post-secondary institution.

Example 3. A tenth grade male, accused of a weapons violation in MPS, was expelled. The student enrolled in a suburban school district, but never attended because his MPS expulsion was discovered and he was not admitted (see Chapter 220 discussion above).

John Benson, the Wisconsin Superintendent of Public Instruction and a strong MPCP opponent, asked Smith to accept the student. Messmer did. The boy attended for one year. The boy and his family moved to Illinois and recently said that they are moving back to Wisconsin and plan to enroll the boy at Messmer.

Example 4. Messmer has accepted two students with more than 50 absences in the prior school year, and one who had 86 absences (out of about 180 school days) at MPS.

Example 5. Messmer accepted a female student with a medical condition that involves one to two spontaneous seizures a week that are severe enough to require paramedics. Messmer usually does not allow students to attend more than four years. However, the school allowed this student to attend a fifth year so she could graduate.

Example 6. Messmer has enrolled a student with Hodgkins Disease who was hospitalized so much Messmer provided tutors to help the student keep up with school work. Messmer has a female student who is medically defined as a dwarf. She is in lots of pain with spinal problems and has many ongoing medical procedures that interrupt her educational program.

To these examples, Smith added: "Every year Messmer takes kids who have nowhere else to go. Many come from MPS. Some come from the suburbs. Ninety-eight percent are excellent students. Our population of kids who are categorized as special needs [is] increasing. Fifteen to 20 percent of [MPCP] students [at] Messmer are defined with special needs...[W]e have a number of children each year [not counted in above] who have sickle cell anemia or some trait of it and one child who has weekly fainting spells."

At a July 30, 1998 meeting of the Wisconsin Legislature's Joint Committee for Review of Administrative Rules, representatives of two MPCP schools described for legislators some of the services provided to students with special education needs. Excerpts from their testimony follow:

Lutheran Special School.[21] "...Lutheran Special School [provides] the oldest parochial special education program...in Milwaukee....[It was started] 40 years ago by parents...who wanted their mentally retarded children to have the same opportunity as their

other children, to attend a religious school....[T]his program...continues to grow, as it strives to carry out its mission, '...to be an advocate and resource for students with specific educational needs; to empower them to recognize and utilize their God-given potential through programs and services for students, their families and teachers...'

"Lutheran Special School currently serves 28 elementary students who have been diagnosed as Learning Disabled, Cognitively Disabled, Emotionally Disturbed, Attention Deficit Hyperactive Disorder, as well as "gray area" students. These children attend either our elementary self-contained classroom or our elementary resource room. Eleven of these children are Choice eligible....[E]ight of them come from minority families.

"...[W]e have a Teacher Consultant/School Psychologist who worked in four Lutheran inner city schools in Milwaukee. She works with students who have learning difficulties, assessing their strengths and weaknesses, she provides intervention techniques, and she helps teachers with adaptations for these students so that they can get the special help they need and remain in a Lutheran school. Forty-five percent of the children in these Lutheran schools are...eligible for Choice.

"Lutheran Special School was also responsible for beginning the Special Needs Program at Milwaukee Lutheran High School. This program currently has two special ed teachers serving 28-30 special needs high school students, providing an alternative curriculum as well as beginning a school to work program and enabling these students to get the skills necessary to be successful in the work force.

I"...[W]e also provide, in conjunction with a local university, an annual...in service for teachers of all denominations...[This provides] teachers with the skills necessary to work with students who have difficulty learning, allowing these students to remain in a parochial school. And, we have been involved with a local parochial university in helping them to begin a DPI approved special education minor, enabling graduates going into parochial schools to have the training and the degree to work with special education students..."

Pius XI High School.[22] "Pius was founded in 1929 as a comprehensive high school with a mission to serve all students. In that context, Special Studies students are a viable part of the student body...[Pius] is staffed by two specialists in reading, one in math and two in learning disabilities. Currently, 52 students are enrolled in Math Improvement, 114 in Reading Improvement, and approximately 50 students are in the Learning Disabilities Program. Programs in Special Studies focus on the uniqueness of each individual and attempt to help students reach their potential, especially in reading and math [including students] identified by an M team or psychological assessment as learning disabled.

"A significant feature of Special Studies is that all students are 100% mainstreamed into regular classes, as are students with physical disabilities, and given help in resource centers. In the learning disabilities area, help in the resource room provides diagnosis and remediation along with compensation for learning problems. If a student is determined to be learning disabled, the Special Studies Department helps the student and parents plan an academic program. On the average, half of the students in the program are college bound. Reading and Math Improvement Programs provide instruction in small groups or individually. Reading instruction is based on diagnostic-prescriptive methods using a variety of materials so that each student's unique reading needs can be met. Those students working on math improvement generally also are enrolled in regular math courses.

"All areas of special studies are individualized to indicate to students that they are important and can excel. This approach assesses students' current instructional level of learning, utilizes specific intervention strategies to help them progress and provides additional

academic and emotional support. As a result, this department helps students develop the foundation for higher levels of analysis and problem solving demanded in their regular course work. Recently, for example, a student enrolled in the program earned a score of 36 on the ACT test. Department members work very closely with subject area teachers to ensure that instruction is consistent and supportive.

"Each year, Pius also has a number of students with physical disabilities. Over the years, the student population has included those with visual and hearing limitations, dwarfism, leg braces, and spina bifida. If a student entering Pius has a physical disability, a meeting is held with the parents and appropriate school officials to determine how best to meet their special needs.

"On the average, approximately one hundred students are classified by Guidance as disabled as a result of a physical or learning disability. Subject teachers are always notified of students with special needs."

Special needs students — MPS schools

MPS' school directory says, "When children with special education needs select a school/program where their individual needs cannot be appropriately met [i.e., an "Inappropriate School Choice"], parents will be contacted by special education supervisors to discuss options at other schools...."

MPS has the final say, **not the parent**, in determining where a special needs student attends school, including whether the student may attend a school that does not have a program for them.

This is not so with MPCP schools, which, **as with MPS schools**, do not have programs for all special needs students. While an MPCP school may advise a parent that the school does not have a specific program, under state law the decision to attend the school is the parent's, not the school's.

Figures 2, 3, and 4 illustrate that no MPS elementary, middle, or high school accepts all students with special education needs.[23] In contrast, no private school may reject an MPCP-eligible student based on special needs.

Figure 2.MPS elementary schools accepting special needs students.

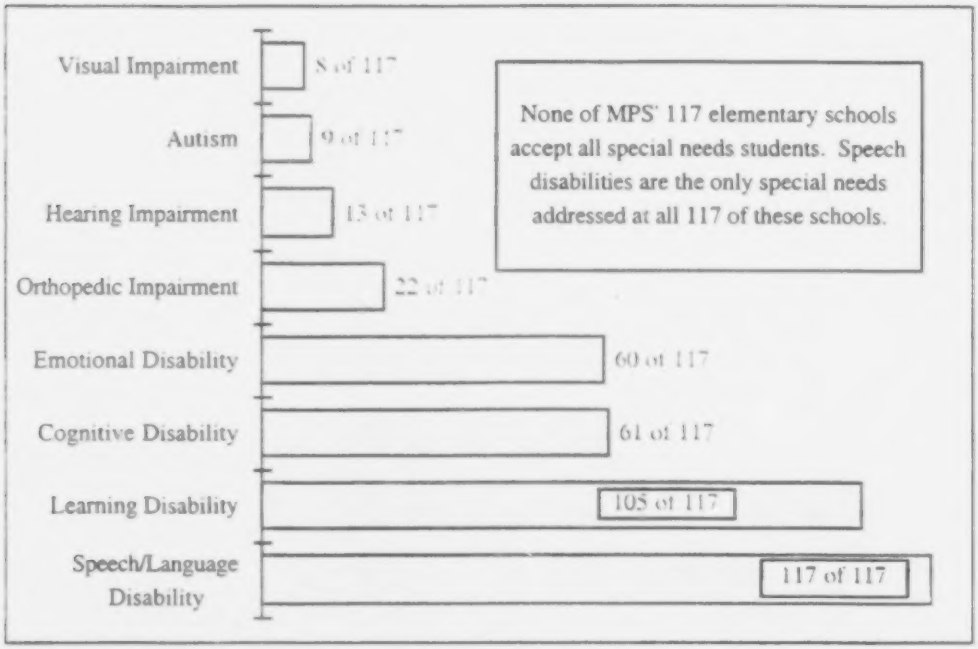

Figure 3.MPS middle schools accepting special needs students.

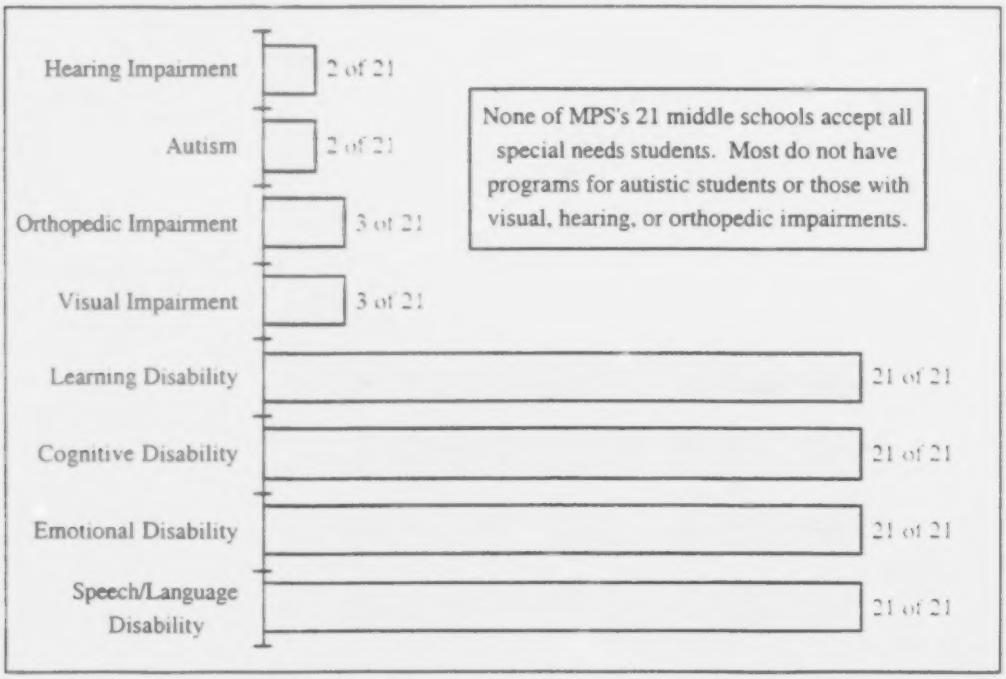

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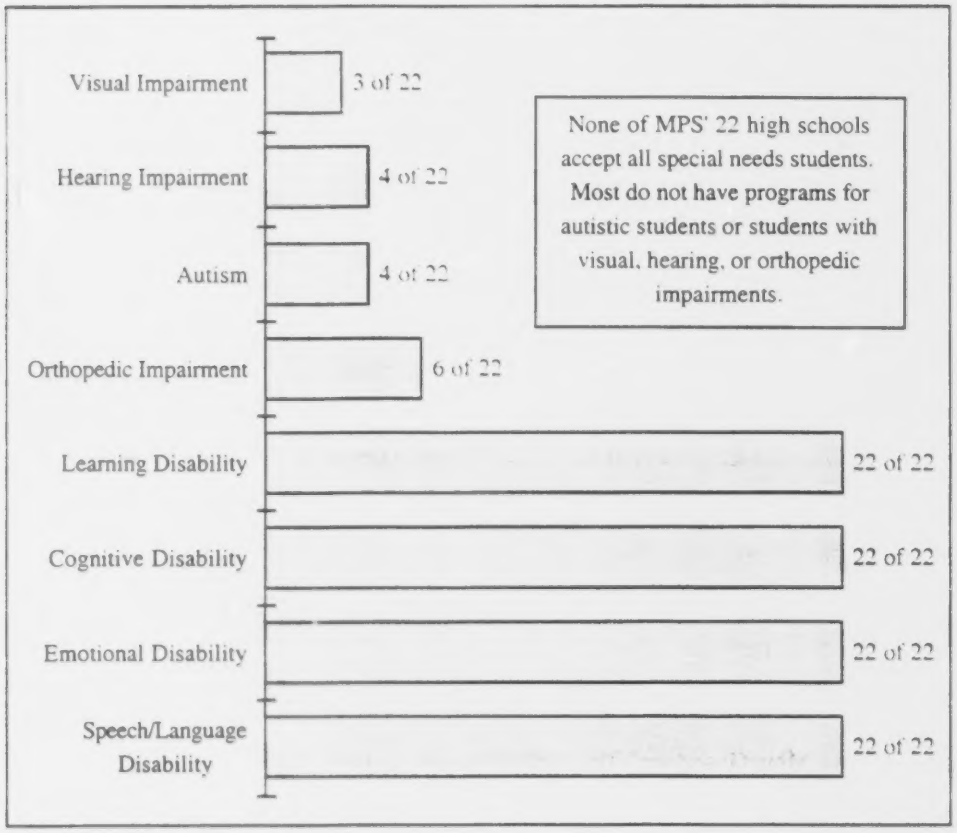
Figure 4.MPS high schools accepting special needs students.



Students with disciplinary or behavior problems

Previous sections described screening based on academic ability and special needs. Voucher opponents also claim that private schools rely on admission screening to exclude students with past disciplinary problems.

To reiterate the general point previously made, state law does not allow private schools to use screening criteria in reviewing MPCP-eligible student applications.

As with programs that screen for academic ability and special needs, MPS has an extensive program of alternative and partnership schools to which it may transfer students who are truants, adjudicated juveniles, or meet other criteria that define them, under state law, as "at risk" of not graduating.

Fifteen alternative programs are operated by MPS; another 32 are operated under contract to MPS by other entities, most of whom are private, non-profit organizations. The capacity of these alternative programs as of October, 1999, was 3,579 students, or more than 3% of the MPS enrollment. The majority of this capacity was in private organizations.[24]

MPS is not alone among public schools in relying heavily on private schools to educate some of its most difficult students.[25] This again contrasts with frequent assertions that public schools take all students and that private schools are selective in enrolling MPCP

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students. With specific respect to MPS, its former director of alternative programs said they enable "MPS to provide a whole range of different options. We want tailor-made programs for pregnant teens, chronic disrupters, or students coming from juvenile institutions. With contracting, we can offer those programs. In some cases [contract schools] are more effective than the traditional schools."[26]

Conclusion

Milwaukee's experience with the nation's longest-running program of school vouchers directly contradicts the claims of voucher opponents regarding public and private school admission practices. It illustrates that a targeted, tax-supported school voucher program for low-income parents can be designed to provide essentially an open admission policy.

We did not evaluate allowable practices in other jurisdictions with tax-supported and, in some case, privately supported voucher programs. Such studies would be worthwhile.

We also did not evaluate the merits of (1) selective admission programs such we describe are used by MPS or (2) the prohibition in state law on use of selection criteria in reviewing MPCP applications. This is an issue worthy of analysis.

Attachments

I. Milwaukee Parental School Choice Program Student Application Form — 2000-2001 School Year (2 pages).

II. MPS Program for the Academically Talented — Information Form (2 pages).

III. MPS Golda Meir Gifted and Talented Information Form (2 pages).

IV. "Request for Student Records" used by the Public School Open Enrollment Program (1 page).

Endnotes

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[1] Fuller is founder/director of The Institute for the Transformation of Learning (ITL), Marquette University. From 1991-95 he was superintendent of the Milwaukee Public Schools. Mitchell, owner of The Mitchell Company, is a consulting research associate at the Institute. All errors and interpretations are ours.

Sharon Schmeling, research associate at ITL, and Deborah Meyer, project assistant at The Mitchell Company, provided research. Donna Schmidt, Prince of Peace School; Brother Bob Smith, Messmer High School; Roger Laesch, former Superintendent of Lutheran Schools, Missouri Synod, Milwaukee; and Debra Dosemagen, Academic Vice Principal, Pius XI High School, provided information about special education students at their schools. Spence Korte, MPS Superintendent, and Aquine Jackson, Director, Division of Parent/Student Services, MPS, and staff at various MPS schools provided information regarding MPS admissions practices.

[2] Wisconsin Department of Public Instruction, "Milwaukee Parental School Choice Program Membership and Payment History, in Total, 1990 to Present," http://www.dpi.state.wi.

[3] The MPCP statutes are found in Section 119.23, Wisconsin Statutes. Section.119.23(2) specifies (emphasis added) that "**any** pupil in grades kindergarten through 12" who meets MPCP eligibility standards "may attend, at no charge, any [MPCP-eligible] private school" in Milwaukee. The statutes give private schools two primary areas of discretion regarding MPCP participation: (1) they are not obligated to join the program; and (2) those that do may designate how many spaces are available. A lottery is held if there are more applicants than space available. Other eligibility criteria involve prior year school attendance.

[4] "Private School Vouchers — Overview," http://www.nea.org.

[5] "Vouchers and the Accountability Dilemma," http://www.aft.org.

[6] Based on answers allegedly given by schools to anonymous phone callers hired by PFAW-NAACP to pose as parents. There has been no independent verification of these claims. The Wisconsin Department of Public Instruction states that it has no record of receiving an actual parent or student complaint regarding admission practices in the 10-year history of the MPCP.

[7] The first quote from Rep. Sinicki is from the Fall, 1999 edition Rethinking Schools, a Milwaukee publication; the second quote is from comments Rep. Sinicki made November 17, 1999, at a public hearing at the Milwaukee Area Technical College.

[8] "Through One City's Eyes — A Live Town Hall Meeting," September 9, 1999, WMVS-TV, Milwaukee Public Television. In the same broadcast, University of Wisconsin-Milwaukee Sociology Professor Gregory Squires said: "...[T]here's no reason to believe that [school choice] is going to somehow magically resolve these problems, in part for the reason that was just mentioned [by Tammy Johnson]...[T]he public schools have to take certain students the private schools don't have to take...For MPS students, a place will be found and that is not the case for all private schools. They don't all have to accept any student." The implication to some listeners of Squires' statement was that private schools in programs such as the MPCP will apply more selective admissions criteria than public schools. As this study demonstrates, in Milwaukee, that would not be the case for MPCP-eligible students.

[9] We did not examine actual (v. allowable) admission practices at any MPS or MPCP school. As stated above, Note 5, the Wisconsin Department of Public Instruction states that it has received no actual parent or student complaint regarding admission practices in the 10-year history of the MPCP.

[10] MPS, "Directions — Your School Selection Guide for the 2000-2001 School Year."

[12] An "M-team" is a multi-disciplinary team of education specialists that evaluate students with potential learning disabilities or related needs. It prepares an Individual Education Plan (IEP) identifying a student's special education needs.

[13] MPS, "Enrollment By Ethnic Categories and Schools," September 17, 1999.

[14] From MPS brochure on entrance requirements for these six high schools in 1999-2000.

[15] In 1989, George Mitchell summarized various earlier reports on widespread academic and family screening criteria by suburban public schools in considering the applications of minority students from MPS ("An Evaluation of State-Financed School Integration in Metropolitan Milwaukee, " June, 1989, by Wisconsin Policy Research Institute).

In a later report describing suburban screening of MPS transfer students, UW-Milwaukee Professor Harold Rose wrote: Suburban "...districts that identify themselves principally as college preparatory districts employ selection criteria that do not appear to be used by districts providing a comprehensive education. In some districts, results of specific performance instruments weigh heavily in the decision to approve admission as does an effort to increase the certainty that the range in abilities of transfer students does not deviate greatly from that of the resident population...[T]he practices with regard to admissions vary greatly across districts, with some [seeming; to select from a pool of [MPS] students who appear to differ least from resident students..." See "Milwaukee's City - Suburban Interdistrict Integration Program: A Review of the Student Application & Assignment Process," by Professor Harold Rose for the Compact for Educational Opportunity, January 1990.

[16] Jane R. Henkel and Robert J. Conlin, Wisconsin Legislative Council staff, "Information Memorandum 97-3, New Law Relating to Interdistrict Public School Open Enrollment," October 15, 1997. Provisions of this new law are found in ss. 118.51 and 118.52, Wisconsin Statutes.

[17] MPS says the term special education needs applies to children with "hearing impairments, emotional disturbances, learning disabilities, orthopedic impairments, cognitive disabilities, speech and language disabilities, traumatic brain injuries, visual impairments, and other health impairments...." ("Directions," elementary and middle school edition, p. 6).

We do not in this paper discuss the rights, responsibilities, and tax-supported programs for special education students in public or private schools. Our purpose is confined to providing information about allowable practices in the context of claims by school choice opponents.

[18] AFT, "Milwaukee Voucher Program A Failure, Says AFT," www.aft.org, July 1997.

[19] Based on information provided to ITL research assistant Sharon Schmeling by Principal Donna Schmidt.

[20] Based on information provided to Schmeling by Smith. Examples involve students in the MPCP or eligible for it but excluded during the 1995-98 litigation over the program's constitutionality. On June 10, 1998, Wisconsin's Supreme Court upheld the MPCP.

[21] From testimony presented July 30, 1998, by Roger Laesch, then-Superintendent of Lutheran Schools, Missouri Synod, Milwaukee.

[22] From testimony presented July 30, 1998, by Debra Dosemagen, Academic Vice Principal, Pius XI High School, Milwaukee.

[23] Figures 2, 3, and 4 are based on correspondence in September, 1999, between Deborah Meyer and MPS Superintendent Spence Korte. This correspondence, a public record, is available from MPS.

[24] Henryettte Fisher, Acting Director, MPS Division of Small Community Schools, "ALT SCHOOL ENROLLMENT AS OF 10/18/99."

[25] Beales, J.R., and Bertonneau, T.F., "Do Private Schools Serve Difficult-to-Educate Students?", Mackinac Center for Public Policy and The Reason Foundation, October 1997.

[26] Beales, et.al., quoting Fermin Burgos, p. 15.

ATTACHMENT I

Wisconsin Department of Public Instruction
MILWAUKEE PARENTAL SCHOOL CHOICE PROGRAM
STUDENT APPLICATION FORM **2000-2001 School Year**
(Wi Stat.,119.23) 1995 Act 27
MPS-PCP-3A (◆ Rev. 12/99)

INSTRUCTIONS - **A separate form** must be completed **for each child** applying under this program. Print clearly in ink. **Return completed form to the school.**

School applying to:			Grade level for school year **2000-2001**
Student's name (Last) (First) (Middle Initial)			Date of birth (Month/Day/Year)
Student home address (Street)	(City)	(ZIP)	Telephone area/no.
Parent / guardian name (Last) (First) (Middle Initial)			School attended during **1999-2000** school year:

Please truthfully answer the following six (6) questions to determine the student's eligibility for the Milwaukee Parental School Choice Program in the 2000-2001 school year. Question #1 and at least one of questions #2-6 must be checked yes to be eligible.

Check only one box by the number that corresponds with your household size. Include any parents, grand-parents, children, other relatives, and unrelated people who live in your household. Foster children are counted as a household of one (1) and only the child's income is counted.

Household Size	Maximum Yearly Income*
❑ 1	$ 14,824
❑ 2	$ 19,897
❑ 3	$ 24,970
❑ 4	$ 30,043
❑ 5	$ 35,116
❑ 6	$ 40,190

For each additional household member add $5,073.

*Schools will first use Adjusted Gross Income (AGI) on the federal income tax return (line 33 of Form 1040, line 18 of Form 1040A, or line 4 of Form 1040EZ) for the prior calendar year (1999 for the 2000-2001 Choice program.) You must provide the school with a federal income tax return for the prior year if filed. You may also provide the school with evidence of expected income for the current calendar year that makes you eligible for the program.

YES	NO	*Please check only one box for each question*
❑	❑	1. If your yearly income level is **at or below** the amount listed for your household size under question **#1**, check **yes**. If **higher** than the amount listed, check **no**.
❑	❑	2. Was your child enrolled in the Milwaukee Public School System during the 1999-2000 school year?
❑	❑	3. Did your child participate in the Milwaukee Parental School Choice Program during the 1999-2000 school year?
❑	❑	4. If your child was **not** in the Milwaukee Parental School Choice Program, **was** your child enrolled in one of grades kindergarten through 3 in a private school located in the city of Milwaukee?
❑	❑	5. Check **yes** if your child was **not enrolled** in **any school**, in Milwaukee or elsewhere, during the 1999-2000 school year; otherwise, check **no**.

If you have answered **NO** to questions 2 through 5, **you may be eligible for the program under question 6 on the back of this application form.**

For Use of Parent or Guardian: I as the parent or guardian certify that all of the above information is true and correct. I understand that school and/or state officials may verify any of the information on the application.

Name of Parent or Guardian Signing the Application (***Print*** or ***Type***)

Signature of Parent or Guardian ➤ Date Signed

For Use of School: I as the administrator responsible for pupil admissions have reviewed the student application and have concluded that it is properly and completely filled out to the best of my knowledge.	Based on the information provided by the parent or guardian, the student is eligible.
Name of School Administrator or Designee (Print or Type)	❑ YES ❑ NO
School Administrator / Designee Signature ➤	**Date Signed**

BEST COPY AVAILABLE

YES NO

❑ ❑ 6. Was your child, on August 25, 1995, a resident of the City of Milwaukee, living in a household that met the income guidelines listed to the right, **AND** in the 1994-95 school year any one of the following was true **(circle which of a through d applies):**

a. was enrolled in the Milwaukee Public Schools, or

b. was enrolled in the Milwaukee Parental School Choice Program, or

c. was enrolled in one of grades kindergarten through 1 in a private school located in the City of Milwaukee, or

d. was not enrolled in any school, in Milwaukee or elsewhere, and about to enroll in school in the 1995-96 school year,

AND subsequently has been enrolled in a private school in the City of Milwaukee in at least one of the last five school years: 1995-96, 1996-97, 1997-98, 1998-99 or 1999-2000.

IF YOUR CHILD WAS ENROLLED IN THE MILWAUKEE PUBLIC SCHOOLS IN ANY OF THE SCHOOL YEARS BELOW, CHECK THE APPROPRIATE BOXES.

❑ 1998-99 ❑ 1997-98 ❑ 1996-97 ❑ 1995-96

❑ 1994-95

Income guidelines on August 25, 1995 were as follows:

Household size	Maximum Yearly Income
1	$ 13,073
2	$ 17,553
3	$ 22,033
4	$ 26,513
5	$ 30,993
6	$ 35,473
7	$ 39,953

For each additional household member add $ 4,480.

ATTACHMENT II

PROGRAM FOR THE ACADEMICALLY TALENTED

INFORMATION FORM

I understand that: ***PLEASE CHECK***

- ❒ 1. This Information Form is NOT an application. Completion of this form does NOT guarantee the pupil admission to a program.
- ❒ 2. To apply for the program, the parent/guardian must also submit a School Selection Application Form.
- ❒ 3. A candidate's eligibility for the Program for the Academically Talented may be jeopardized if this form is not filled out completely.
- ❒ 4. The most recent report card must be attached to this form.
- ❒ 5. The bottom copy of this form should be retained for school records.

_____ _____ _____ _____
Teacher's Signature Date Principal's Signature Date

I. GENERAL

Referred by: ❒ Parent ❒ Classroom Teacher ❒ Other(specify): _____

Name: _____ Gender: ❒ MALE ❒ FEMALE
Last First

Birthdate _____ MPS SDB# _____

Ethnic Code: (check only one)
__ 1. Native American __ 4. Hispanic
__ 2. Black __ 5. White
__ 3. Asian __ 6. Other

Address: _____ Zip Code: _____

Name of Parent/Guardian: _____ Phone number: _____ (home)

_____ (work)

M-Teamed: __ YES __ NO Qualifies for Free/Reduced Lunch: __ YES __ NO

Present School: _____ 3-Digit Site Number _____ Present Grade: _____

II. ACHIEVEMENT TEST DATA (Most Recent)

Name of Test	Date Given	Areas Tested	Percentile Rank
_____	_____	Reading Comprehension	_____
		Mathematics Total	_____
		Other: _____	_____

OTHER TEST DATA

Name of Test	Date Given	Areas Tested	Percentile Rank
_____	_____	_____	_____
_____	_____	_____	_____

III. READING BOOK LEVEL (For elementary and middle school nominees)

Identify the reading series being used: _____

Readiness	_____	Primer	_____	Grade 3[1]	_____	Grade 6	_____
Pre-Primer 1	_____	Grade 1	_____	Grade 3[2]	_____	Grade 7	_____
Pre-Primer 2	_____	Grade 2[1]	_____	Grade 4	_____	Grade 8	_____
Pre-Primer 3	_____	Grade 2[2]	_____	Grade 5	_____	Other	_____

PLEASE COMPLETE PAGE TWO

PROGRAM FOR THE ACADEMICALLY TALENTED

INFORMATION FORM

IV. STUDENT POTENTIAL

PLEASE ASSESS THIS STUDENT'S potential in appropriate area(s) listed below.

1 - Outstanding	4 - Below Average
2 - Very Good	5 - Poor
3 - Average	

Please check the appropriate number column using the key to the left

	1	2	3	4	5
1. General intellectual ability					
2. Specific academic ability					
3. Creative or productive thinking ability					
4. Leadership ability					
5. Visual and performing arts ability					

V. STUDENT PERFORMANCE

Please assess this student's PERFORMANCE in the research-based criteria listed below by checking the appropriate space.

A - Almost Always	D - Seldom
B - Frequently	E - Never
C - Sometimes	

Please check the appropriate letter column using the key to the left

This student:

	A	B	C	D	E
1. has an unusually advanced vocabulary; uses terms in a meaningful way; demonstrates a "richness" of expression					
2. has a large storehouse of information about many topics					
3. grasps concepts quickly, easily, without much repetition; has quick mastery and recall of factual information					
4. recognizes relationships and comprehends meanings; tries to discover the "how and why" of things					
5. has unusual insight into values.					
6. asks provocative questions about the causes and reasons for things					
7. is a keen and alert observer; evaluates facts, arguments, and persons					
8. is able to work independently; does not avoid difficult materials; requires little direction					
9. produces many unique, clever ideas or solutions to problems and questions					
10. is uninhibited; uses imagination and fantasy in solving personal and universal problems					
11. has a keen sense of humor					
12. takes intellectual and emotional risks in expressing ideas; does not fear being different					
13. enjoys art activities; is eager to express ideas visually					
14. has a keen interest in the performing arts (music, drama, and/or dance)					
15. does not fear to be different; is individualistic					
16. adapts readily to new situations; is not disturbed when the routine is changed					
17. generally directs activities in which he/she is involved					
18. carries responsibility well; can be "counted on."					
19. expresses him/herself well; has good oral communication skills					
20. is self-confident with peers and adults; is comfortable when showing his/her work to the class					

VI. COMMENTS

Please write one sentence that best describes this student's academic potential/performance.

_____

Please write one sentence that best describes this student's social/emotional behavior.

_____

Please write one sentence that best describes this student's visual or performing arts potential/performance.

_____

Please write one sentence that best describes this student's leadership potential/performance.

_____

VII. Program for the Academically Talented Placement Recommendation

Based on your assessment, this student's needs would be best met in the:

_____ 1. Present Specialty School
_____ 2. Program for the Academically Talented
_____ 3. Regular Classroom

You may, if you wish, attach a letter(s) of recommendation and/or comments from yourself and /or other teachers.

Please attach a copy of the student's report card! Retain a copy of this form for your records.

STUDENT NAME _____
Last Name First Name

BEST COPY AVAILABLE

Please return to:

P.A.T., c/o Dr. Milly Hoffmann
Milwaukee Public Schools, Room 265

P.A.T. OFFICE COPY

Revised 11/93

ATTACHMENT III

GOLDA MEIR
GIFTED AND TALENTED
INFORMATION FORM

I understand that ***PLEASE CHECK***

- ❒ 1. This Information Form is NOT an application. Completion of this form does NOT guarantee the pupil admission to a program.
- ❒ 2. To apply for the program, the parent/guardian must also submit a School Selection Application Form.
- ❒ 3. A candidate's eligibility for the gifted and talented program may be jeopardized if this form is not filled out completely.
- ❒ 4. The most recent report card must be attached to this form.
- ❒ 5. Retain the bottom copy of this form for school records.

_____ _____ _____ _____
Teacher's Signature Date Principal's Signature Date

I. GENERAL

Referred by: ❒ Parent ❒ Classroom Teacher ❒ Other(specify): _____

Name: _____ Gender: ❒ MALE ❒ FEMALE
Last First

Birthdate _____ MPS SDB# _____

Ethnic Code: (check only one)
__ 1. Native American __ 4. Hispanic
__ 2. Black __ 5. White
__ 3. Asian __ 6. Other

Address: _____ Zip Code: _____

Name of Parent/Guardian: _____ Phone number: _____ (home)

_____ (work)

M-Teamed: __YES __NO Qualifies for Free/Reduced Lunch: __YES __NO

Present School: _____ 3-Digit Site Number _____ Present Grade: _____

Telephone Number _____

II. ACHIEVEMENT TEST DATA (Most Recent)

Name of Test	Date Given	Areas Tested	Percentile Rank
_____	_____	Reading Comprehension	_____
		Mathematics Total	_____
		Other: _____	_____

OTHER TEST DATA

Name of Test	Date Given	Areas Tested	Percentile Rank
_____	_____	_____	_____
		_____	_____

III. READING BOOK LEVEL

Identify the reading series being used: _____

Readiness	_____	Primer	_____	Grade 3[1]	_____	Grade 6	_____
Pre-Primer 1	_____	Grade 1	_____	Grade 3[2]	_____	Grade 7	_____
Pre-Primer 2	_____	Grade 2[1]	_____	Grade 4	_____	Grade 8	_____
Pre-Primer 3	_____	Grade 2[2]	_____	Grade 5	_____	Other	_____

PLEASE COMPLETE PAGE TWO

#00027A
Revised 11/95

GOLDA MEIR COPY

Please return to:

Principal, Golda Meir School
1555 North Martin Luther King Drive

STUDENT NAME _____
Last Name First Name

GOLDA MEIR
GIFTED AND TALENTED
INFORMATION FORM

IV. STUDENT POTENTIAL - CHECKLIST

Please assess this student's POTENTIAL in appropriate area(s) listed below.

Please check the appropriate column.

	Outstanding	Above Average	Average	Below Average
1. General intellectual ability				
2. Specific academic ability				
3. Creative or productive thinking ability				
4. Leadership ability				
5. Visual and performing arts ability				

V. STUDENT PERFORMANCE - CHECKLIST

Please assess this student's PERFORMANCE in the research-based criteria listed below by checking the appropriate space.

Please check the appropriate column.

This student:

	Almost Always	Frequently	Sometimes	Rarely
1. has an unusually advanced vocabulary; uses terms in a meaningful way; demonstrates a "richness" of expression				
2. has a large storehouse of information about many topics				
3. grasps concepts quickly, easily, without much repetition; has quick mastery and recall of factual information				
4. recognizes relationships and comprehends meanings; tries to discover the "how and why" of things				
5. has unusual insight into values.				
6. asks provocative questions about the causes and reasons for things				
7. is keen and alert observer; evaluates facts, arguments and persons				
8. is able to work independently; does not avoid difficult materials; requires little direction				
9. produces many unique, clever ideas or solutions to problems and questions				
10. is uninhibited; uses imagination and fantasy in solving personal and universal problems				
11. has a keen sense of humor				
12. takes intellectual and emotional risks in expressing ideas; does not fear being different				
13. enjoys art activities; is eager to express ideas visually				
14. has a keen interest in the performing arts (music, drama, and/or dance)				
15. does not fear to be different; is individualistic				
16. adapts readily to new situations; is not disturbed when the routine is changed				
17. generally directs activities in which he/she is involved				
18. carries responsibility well; can be "counted on."				
19. expresses him/herself well; has good oral communication skills				
20. is self-confident with peers and adults; is comfortable when showing his/her work to class				

VI. STUDENT POTENTIAL - NARRATIVE

Please write one sentence that best describes this student's academic potential.

_____

Please write one sentence that best describes this student's social/emotional potential.

_____

Please write one sentence that best describes this student's visual or performing arts potential.

_____

Please write one sentence that best describes this student's leadership potential.

_____

VII. STUDENT PERFORMANCE - REPORT CARD

BEST COPY AVAILABLE

Please attach a copy of the student's <u>most current</u> report card!

Comment: _____

_____

VIII. You may if you wish attach a letter(s) of recommendation and/or additional comments from yourself and /or other teachers.

Please return to:

600027A
Revised 11/95

Retain the bottom copy of this form for your records

GOLDA MEIR COPY

Principal, Golda Meir School
1523 Martin Luther King Drive

REQUEST FOR STUDENT RECORDS

Name of Student	Birthdate *Mo./Day/Yr.*

To: Administrator, _____ School District
(Name of Resident)

In accordance with s. 118.51 (8), Wis. Stats., and s. PI 36.03 (1) (e), Wis. Adm. Code, I hereby request the following information related to the above-named student:

1. Information about whether the student has been referred for special education, but has not yet been evaluated.
2. Information about the student's special education program, including a copy of the student's individualized education program (IEP).
3. Information about any pending disciplinary proceeding that could lead to expulsion, including a written explanation of the reason(s) for the pending disciplinary proceeding and the possible outcomes of the disciplinary proceeding.
4. A copy of any expulsion order involving the pupil for the 1997-98, 1998-99, and/or 1999-2000 school year, including a written explanation of the reason(s) for the expulsion and the length of the term of the expulsion.

Nonresident School District	
Name and Title of School Official	Telephone *Area/No.*
Signature of School Official	Date Signed

INSTRUCTIONS FOR RESIDENT SCHOOL DISTRICT

1. The above information should be promptly provided to the nonresident school district. If the information cannot be provided within five working days, the nonresident school district should be notified of the date by which the information will be provided.

2. Do not provide any records or information that do not relate to the student's special education or expulsion or pending disciplinary proceeding prior to April 7, 2000, unless you have received notice that the nonresident school district has approved the application. This includes transcripts, behavior records other than expulsion records, section 504 plans, etc.

Questions may be directed to:

Mary Jo Cleaver
Public School Open Enrollment Program
Wisconsin Department of Public Instruction
P.O. Box 7841
Madison, WI 53707-7841
608-267-9101 or toll free 1-888-245-2732

maryjo.cleaver@dpi.state.wi.us

www.dpi.state.wi.us/dpi/dfm/sms/psctoc.html

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